THE HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.33878 OF 1998

20.03.2007

1. N.S.P. Workers & Employees Union,
   Left Canal Wing, Jaggaiahpet, regd.
   No.C/406 rep., by its General Secretary
   T. Venkat Ramulu, S/o Narsaiah and others

….Petitioners

Vs.

1. Government of A.P., rep., by its Principal
   Secretary to Government, Irrigation & CAD (Ser.V)
   Department, Secretariat, Hyderabad and another.

….Respondents

THE HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.33878 of 1998

ORDER:

In this writ petition, the petitioners have questioned the validity of clause No.5 in G.O.Ms.No.338 issued by the Irrigation and CAD department, dated 12.10.1998.

The 1st petitioner is an association of Work Inspectors and Laskars. It is stated that the members of the petitioner-association are permanent employees of Irrigation department working as such. In the writ petition, they have questioned clause No.5 of G.O.Ms.No.338, dated 12.10.1998. In the aforementioned G.O., with regard to the payment of salaries to the petitioners, a certification from the President of Water Users' association is made compulsory under the provisions of the A.P. Farmers Management of Irrigation System Act.

Inasmuch as it is stated that the members of the association are Work Inspectors and Laskars and they are permanent employees of Irrigation Department, there is no valid reason to approach this Court directly as the members of the petitioner- association. Being Civil Servants of the Government, they ought to have approached the Tribunal under the Act. As such, I deem it appropriate to permit the petitioners to approach the Tribunal for redressal of their grievance. But at the stage of admission by an order dated, 4.12.1998, this Court granted interim suspension of Clause No.5 of the above said G.O. and the said order continued all along. In that view of the matter, it is just and proper to continue the same so as to enable the petitioner-association to approach the competent Tribunal and obtain appropriate orders.

Accordingly, the order of suspension of clause No:5 of the G.O. impugned granted by this Court on 4.12.1998 shall continue to be operative for a period of two months from today and in the meanwhile, it is open to the petitioners to approach the Tribunal.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

_____

Justice R. Subhash Reddy

Dated: 20.3.2007
Nn.

THE HONOURABLE SRI JUSTICE R.SUBHASH REDDY

–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–

WRIT PETITION No.33878 OF 1998

20.03.2007